

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.9108 of 2022

Ram Chandra khemundu ***Petitioner***
Mr.Biswaranjan Mahapatra, Advocate

-versus-

Registrar, Co-operative Societies, ***Opposite Parties***
Odisha and others

Mr. Y.S.P.Babu, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
20.04.2022

Order No.

02

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel for the Petitioner as well as learned Additional Government Advocate.

3. The present writ application has been filed by the Petitioner with the following prayer:

“It is therefore prayed that the Hon’ble Court shall be pleased to admit this writ application, issue notices to the Opp.Parties and after hearing the parties be further pleased to issue order/orders/writ/writs, more particularly issue

i) Writ of Mandamus or any other appropriate writs commanding the Opposite Parties more particularly Opposite Party Nos.2 & 3 to consider the Caste Certificate of the Petitioner for the purpose of giving him promotion to the post of Assistant Manager in the KCC Bank (OP No.2)

ii) Writ of Mandamus or any other appropriate writ be

issued commanding the Opposite Parties more particularly Opp.Party Nos. 1 & 2 to apply ORV Act ad Rule while considering promotion to the Petitioner-employee in the O.P.No.2 Bank”

4. It is submitted by the learned counsel for the Petitioner that the Petitioner has been working in the Koraput Central Cooperative Bank Ltd. since 13.01.1994, however giving promotion to the other employees, the case of the Petitioner for promotion has not been considered. It is further submitted by the learned counsel for the Petitioner while considering the case for promotion of similarly placed persons, the Opposite Party Bank has not taken into consideration the provisions of ORV Act and Rules. It is also stated that the Petitioner belongs to Scheduled Caste community and further the Petitioner claims that in the event the reservation law is given effect to then the Petitioner has a chance of getting promotion. However, the authority has not taken into consideration the reservation law while giving promotion whereas the Petitioner has not given any opportunity to the Petitioner to give promotion. It is further submitted that highlighting his grievance, the Petitioner has submitted a representation before the Collector, Koraput, Opposite party No.3 and also Opposite Party No.2 the Koraput Central Cooperative Bank Ltd.. It is stated that the same is pending before the Opposite Party Nos.2 & 3 respectively.

5. Learned Additional Government Advocate on the other had submits that he has no objection if a direction is given to Opposite Party Nos. 2 & 3 to consider the representation of the Petitioner strictly in accordance with law within a stipulated time.

6. Considering the aforesaid submissions and keeping in view the limited nature of grievance, this Court disposes of the writ

application at the stage of admission directing the Opposite Party Nos. 2 & 3 to take a decision on the representation submitted by the Petitioner in accordance with law within a period of two months from the date of production of certified copy of this order. It is further directed that the Opposite Party Nos. 2 & 3 shall consider the case of the Petitioner taking into consideration the Reservation Law if the same is applicable to the case of the Petitioner and dispose of the representation of the Petitioner by passing a reasoned and speaking order within the time stipulated herein above. The decision so taken on the representation of the Petitioner shall be communicated to the petitioner within two weeks thereafter.

7. With the aforesaid direction the writ application stands disposed of.

8. Issue urgent certified copy of the order as per Rules.

RKS

